

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7284

BILL NUMBER: HB 1742

NOTE PREPARED: Dec 31, 2002

BILL AMENDED:

SUBJECT: Negligent Driving.

FIRST AUTHOR: Rep. Scholer

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes the negligent operation of a motor vehicle a Class C infraction. It requires a judge to recommend the suspension of a person's driver's license if the person commits negligent driving resulting in injury or death to another person, and it provides that if a person commits negligent driving resulting in the death of another person, the law enforcement agency investigating the accident must refer the case to the prosecuting attorney.

Effective Date: July 1, 2003.

Explanation of State Expenditures: Under the bill, the court would suspend the driving privileges of a person who committed negligent driving resulting in injury to another person for 180 days to 2 years, and of a person who committed negligent driving resulting in death for 2 years. The Bureau of Motor Vehicles (BMV) would use the current procedures to record the suspension and provide notification, and this proposal would have no additional fiscal impact on them.

Explanation of State Revenues: Also, the bill would establish a Class C infraction for negligent driving. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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